

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

THE ENCINITOS RANCH ET AL

v.

KOCH PIPELINE COMPANY, L.P. ET AL

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CIVIL ACTION NO. C-11-293

SCHEDULING ORDER

1. **JURY SELECTION/TRIAL** is set for November 13, 2012 at 8:30 a.m. before United States District Judge Nelva Gonzales Ramos at the United States District Courthouse, Third Floor Courtroom (310), 1133 N. Shoreline Blvd., Corpus Christi, Texas. If the parties are prepared for trial before this date, a Joint Motion and Proposed Order indicating that the case is ready for trial and requesting an earlier date may be filed with the Court.
2. The deadline for **JOINDER OF PARTIES AND AMENDMENT OF PLEADING** is July 2, 2012. This provision does not relieve the parties from the requirement of obtaining leave to file the pleading or add parties whenever required by the Federal Rules of Civil Procedure (e.g., FED. R. CIV. P. 15(a)(2)).
3. **DESIGNATION OF EXPERTS BY PLAINTIFFS** must take place on July 2, 2012. **DESIGNATION OF EXPERTS BY DEFENDANTS** must take place on August 1, 2012. Written reports by experts under FED. R. CIV. P. 26(a)(2)(B) are due at the time of designation of each expert. Parties are ordered to file only a list of proposed witnesses with the Court pursuant to FED. R. CIV. P. 26, but **NOT** reports or other discovery materials.
4. **A SETTLEMENT DEMAND LETTER** must be presented to Defendant(s) no later than July 16, 2012, and a **RESPONSE** is due **thirty (30) business days** after receipt of the demand letter. The parties shall not file the demand or response with the Court; however, a **STATEMENT OF INTENT REGARDING MEDIATION** must be filed with the Court on September 4, 2012.

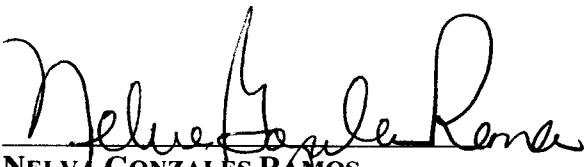
5. **DISCOVERY** shall end on September 4, 2012.
6. **A STATUS CONFERENCE** will be held on September 12, 2012 at 8:30 a.m. before United States District Judge Nelva Gonzales Ramos at the United States District Courthouse, Third Floor Courtroom (310), 1133 N. Shoreline Blvd., Corpus Christi, Texas. The Parties should be prepared to discuss discovery, any pending motions, any additional motions practice anticipated by the parties, the possibility of settlement, and mediation.
7. Except for good cause, the deadline for filing all **DISPOSITIVE AND DAUBERT MOTIONS** is on September 4, 2012. Failure to respond timely will be considered by the Court as if the motion is unopposed, and the motion may be granted. Legal memoranda greater in length than **twenty-five (25) pages** shall NOT be filed without leave of Court. If deposition testimony is attached as an exhibit, it shall be submitted in the condensed or mini-script format, i.e., four pages to one page.
8. The original and one copy of the parties' **JOINT PRETRIAL ORDER** shall be filed no later than October 12, 2012. Plaintiff(s) will be responsible for the filing of a Joint Pretrial Order, executed by the attorney-in-charge for each party, and conforming fully with the form set out in Appendix B of the Local Rules of the Southern District of Texas. This satisfies the requirements of FED. R. CIV. P. 26 (a)(3). Plaintiff(s) shall allow all parties at least **fifteen (15) business days** for review and contribution. In the event of any failure to cooperate in signing the Joint Pretrial Order, a party may file, by the Joint Pretrial Order deadline, a motion for leave to file a Joint Pretrial Order without the signature of all counsel, showing good cause. Differences of the parties with respect to any matter relevant to a pretrial order will be set forth in the Joint Pretrial Order at the appropriate place. Willful or indifferent failure to submit a well-prepared Joint Pretrial Order in a timely fashion or to respond to its completion is cause for dismissal in the case of Plaintiff, or in the case of Defendant, is cause for default.
9. **FINAL PRETRIAL CONFERENCE** is set for November 8, 2012 at 8:30 a.m. before United States District Judge Nelva Gonzales Ramos at the United States District Court, Third Floor Courtroom (310), 1133 N. Shoreline Blvd., Corpus Christi, Texas. The attorney-in-charge for each party is required to be present.

10. All pleadings, motions, briefs, memoranda, and requests for affirmative relief will be directed to the Court in **pleading form**, not correspondence form, through the United States District Clerk in Corpus Christi, Texas:

**United States District Clerk
Corpus Christi Division
Southern District of Texas
1133 N. Shoreline Blvd.
Corpus Christi, TX 78401**

You are requested **NOT** to use the informality of letter briefs, letters citing authorities, or letters requesting continuances or other affirmative relief. Additionally, do not copy the Court on letters between the parties.

ORDERED this 14th day of December 2011.



**NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE**